

### REMARKS

This application has been reviewed in light of the Office Action dated July 13, 2003. Claims 1-10 are presented for examination. Claims 1 and 5-9 have been amended to define more clearly what Applicant regards as his invention. Claim 10 has been added to provide Applicant with a more complete scope of protection. Claims 1, 5, 9 and 10 are in independent form. Favorable reconsideration is requested.

Claims 1-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,621,542 (Ohta et al.).

Independent Claim 1 is directed to an image processing apparatus that comprises input means for inputting image data, and processing means for quantizing error-correction data obtained by adding error data to the input image data so that data having at least two levels are generated. Also provided is an allocation means for allocating the error data generated when the quantization is performed to image data which are not quantized. Also, according to Claim 1, in response to a predetermined level of the error-correction data, the processing means uses a different processing from fundamental processing, and outputs, as a result of quantization, a different level from a level resulting from fundamental processing for the predetermined level so as to prevent a pseudocontour from being generated, the different processing including adding noise components to output data to achieve the different level.

The Examiner continues to maintain that *Ohta* teaches this feature, particularly at column 5, lines 36-46, and column 6, lines 16-18. However, Applicant strongly asserts that the cited portions of *Ohta* at most relate to normal error diffusion processing, and do not teach or suggest that any other manner of processing is used, or that

any input data is subjected to processing different from that which is used on any other input data. That is, nothing in the cited portions of *Ohta*, or in any other portion of that patent, teaches or suggests that a level different from a level resulting from fundamental processing for a predetermined level of error-correction data is outputted.

Even if the Examiner's reading of *Ohta* were correct, however, it is believed clear that nothing in that patent would teach or suggest, as recited in Claim 1. For at least that reason, Claim 1 is believed to be in condition for allowance.

Independent Claim 5 is a method claim, corresponding to apparatus Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1. Claim 9 is similar to Claim 1 in respect of the features discussed above that distinguish Claim 1 over *Ohta*, and Claim 9 is also deemed allowable over that patent for the same reasons as is Claim 1.

Independent Claim 10 is directed to an image processing apparatus that comprises input means for inputting image data, and processing means for quantizing error-correction data obtained by adding error data to the input image data. Claim 10 recites that the processing means performs this quantization according to a first quantization rule, except when the error-correction data has a predetermined level, and quantizes the error-correction data of that predetermined level according to a different quantizing rule that results in a different output value from what would be obtained by applying the first rule to error-correction data of the predetermined level. Claim 10 further recites that the second quantizing rule is such that production of pseudocontours is reduced. Also provided is an allocation means for allocating the error data generated when the quantization is performed to image data which are not quantized.

As has been extensively discussed before, however, the *Ohta* apparatus is a conventional error-diffusion processing system, in which, as is conventional, a single quantization rule is applied regardless of the data value of the data being quantized. Applicants therefore submit that Claim 10 also is clearly allowable over that patent.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons.

In any event, since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicant

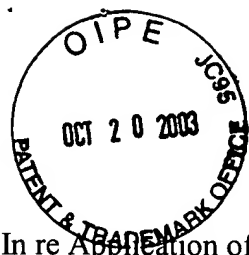
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Amendment Under 37 C.F.R. § 1.116  
Group Art Unit 2624, Expedited Procedure

In re Application of:

Docket No. 03560.002420.

TAKATOSHI OHTA

Appln. No.: 09/340,463

Examiner: Douglas Q. Tran

Filed: June 28, 1999

Group Art Unit: 2624

For: IMAGE PROCESSING METHOD AND  
APPARATUS

Date: October 14, 2003

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Sir:

Transmitted herewith is an Amendment After Final Action in the above-identified application.

☐ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 10	MINUS	** 20	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	* 4	MINUS	*** 3	= 1	x \$43 \$86	\$86.00
Fee for Multiple Dependent claims \$145°/\$290						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$86.00

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
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☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

☒ A check in the amount of \$86.00 is enclosed.

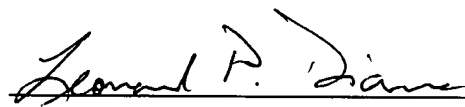
☐ Charge \$\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.

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☐ A check in the amount of \$\_\_\_\_ to cover the Extension fee for response with a \_\_\_\_-month extension is enclosed.

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☒ Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100 or by facsimile at (212) 218-2200. All correspondence should continue to be directed to our address given below.

  
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